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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,056	06/11/2007	Elimelech Rochlin	27526U	2440
20529	7590	11/28/2007		
NATH & ASSOCIATES 112 South West Street Alexandria, VA 22314			EXAMINER NWAONICHA, CHUKWUMA O	
			ART UNIT 1621	PAPER NUMBER
			MAIL DATE 11/28/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



### **DETAILED ACTION**

Claims 57-104 are pending in the application.

#### ***Election/Restrictions***

Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group 1. Claims 57-78, drawn to an oxazaphospholane compound and a process for preparing the same, classified in class 568, subclass 8+.

Group 2. Claims 79-86, drawn to a process of making acyclic oxazaphospholane compound and a phosphate derivative of formulas 3 and 3a, classified in class 568, subclass 8+.

Group 3. Claims 87-98 and 104, drawn to a process of making phosphate derivative of formula 4 and a phosphate derivative of formula 4, classified in class 568, subclass 8+.

Group 4. Claims 99-103, drawn to a process of making phosphate derivative of formula 6, classified in class 568, subclass 8+.

The inventions of Groups 1-4 are independent and patentably distinct because there is no patentable co-action among the three groups and a reference anticipating one member will not render the other obvious. Groups 1-3 are directed to different processes and different compounds that require different reaction conditions while Group 2 is directed to compounds while Group 4 is directed to a process that is different from Groups 1-3. These four groups are different inventions and require different search strategies.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, a search of the four groups designated above would impose an undue burden upon the examiner, and restriction for examination purposes as indicated is therefore proper.

A telephone call was made to Gary Nath on 11/23/07 to request an oral election to the above restriction requirement, but did not result in an election being made.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chukwuma O. Nwaonicha whose telephone number is 571-272-2908. The examiner can normally be reached on Monday thru Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne (Bonnie) Eyler can be reached on 571-272-0871. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number:  
10/586,056  
Art Unit: 1621

Page 4

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